



INSIDE THIS
ISSUE:

Final Presidential
Address 1

Welcome New
Licensees 2

Board Meetings /
Board Members 2

Welcome & Farewell 2

Board Election 3

Online Renewal 3

OE Tracker 3

CE Requirements 3

Disciplinary Actions 3

QEI Committee 4

Regulation Update 4

Consumer's Eye 5

Medical Records 5

Change of Address 6

HAPPY NEW YEAR

JANUARY 2010

Final Presidential Address



As my time and tenure as State Board President (member since 2000, president since 2005) and QEI Chair (member since 1995, chair since 2000), comes to a close, I find my self becoming nostalgic. I have enjoyed the many people associated with the QEI and State Board, as well as the many challenges and accomplishments we faced in optometry over the years and would like to share a few with you.

The **QEI**: Quality Enhancement & Improvement Committee was legislated in 1995 and the original team of optometrists, Beverly Miller, O.D. (chair), Shari Strier O.D., Rob Stutman, O.D., Judy Goldstein O.D., Kevin Darcey O.D., Jeff Jolly O.D., Jim Colgain O.D., and I spent hours developing the record review process (thousands of records reviewed over the years) and the various CE items and CE project (2002) that went with the record review process in order to **educate and elevate** our profession. It was a pleasure to travel to Annapolis in 2002 and demonstrate before the legislature how optometrists in the State of Maryland were **proving competence** and were leaders. In addition, we demonstrated how we were the only profession and only the second state (South Dakota) that proactively reviews its peers for quality control. It was a pleasure to stand there and welcome our ophthalmologic colleagues and other professions to do the same, this being long before the thoughts of "maintenance of competence" and "board certification". Optometry in Maryland should be proud and realize how optometry in Maryland has changed over the past two decades.

I want to thank the **State Board** mentors, Cal Osterman, O.D. and Beverly Miller, O.D., without whose example and guidance I would not have been as effective a leader for our profession. I testified in Annapolis in 2004 regarding foreign trained optometrists and the education that is required to practice and worked collaboratively with the Physicians Board in 2005-2006 for the implementation of the use of topical steroids legislated for TPA certified optometrists in Maryland. The Board successfully implemented its first on-line license renewal process in 2009 (see **Online Renewal**) and has dealt with numerous issues at each of its meetings. These just name a few of the challenges that have helped to bring optometry, like it or not, into the 21st century.

Optometry still has many additional challenges; healthcare reform, board certification, rehabilitation programs, online services for license renewal (OE TRACKER), on-line CE, on-line health care (telemedicine), new medications, and new procedures to deliver health-care to our ever growing and ageing population. I feel good leaving the QEI and State Board (May 2010) knowing that we are in good and capable hands. It is a wonderful thing to see colleagues step up and lead us into the next decade. Thank you for allowing me the opportunity to serve.

Sincerely,
David D. Reed, O.D., F.A.A.O.

Welcome New Licensees

There are 822 optometrists with active license status and 312 with inactive licensure status. The Board welcomes the following licensees to the state.

Bryce Appelbaum, O.D.

Jonathan Bondroff, O.D.

Pamela Brogden, O.D.

Andrew Chan, O.D.

Ying Chen, O.D.

Onah Cho, O.D.

Eric Conley, O.D.

Marietta Dawson-White, O.D.

Nahan Erfan, O.D.

Whitney Fahrman, O.D.

Ilana Garrido, O.D.

Craig Goren, O.D.

Linda Haider, O.D.

Brandi Hawthorne, O.D.

Tracy Hering, O.D.

Maria Higgins, O.D.

Jennifer Husack, O.D.

Syed Hussain, O.D.

Eric Jan, O.D.

Margaret Johnston, O.D.

Andrea Joseph, O.D.

Jena Jung, O.D.

Sona Karla, O.D.

Nagaraju Kemidi, O.D.

Jason Ludwig, O.D.

Eveena Mahal, O.D.

Alexis Malkin, O.D.

Kimberly Mark, O.D.

Michael McGrath, O.D.

Ronak Mehta, O.D.

Jonathan Nebb, O.D.

Myan Nguyen, O.D.

Thanh-Vi Nguyen, O.D.

Tony Nguyen, O.D.

Iva Nosi, O.D.

Shruti Patel, O.D.

Tuyet-Suong Pham, O.D.

James Revenaugh, O.D.

Francisco Richardson, O.D.

Sphear Seng, O.D.

Scott Song, O.D.

Suchi Sood, O.D.

Nadia Strucko, O.D.

Kathryn Thompson, O.D.

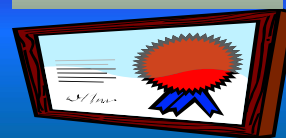
Steven Thurston, O.D.

Linh Trang, O.D.

Thien Van, O.D.

Rita Vekker, O.D.

Jessica Vincenzi, O.D.



Board Meetings

January 27, 2010

March 24, 2010

May 26, 2010

July 28, 2010

September 22, 2010

November 17, 2010

The Regular Session of Board meetings is open to the public and held at 4201 Patterson Avenue, Baltimore, MD 21215 in room #105, at 9:30 a.m.

Board Members

Thomas Azman, O.D., President

Continuing Education Committee

Legislative Liaison

Term Expiration 5/31/2012

Phyllis M. Strickland, O.D., Treasurer

ARBO Liaison

Term Expiration 5/31/2012

Kisha Fields Matthews, Secretary

Consumer Member

Term Expiration 5/31/2012

Jo Anne Brilliant, O.D., Board Member

Chair, Quality Enhancement & Improvement Committee

Continuing Education Committee

Term Expiration 5/31/2011

Stephen D. Kwan, O.D., Board Member

Term Expiration 5/31/2013

David D. Reed, O.D., F.A.A.O., Board Member

Term Expiration 5/31/2010

Frederick J. Walsh, Ph.D., Consumer Member

Term Expiration 5/31/2012



THE BOARD WELCOMES

Stephen D. Kwan, O.D. has been a Maryland resident for 29 years. He is a graduate of the University of California Berkeley School of Optometry and has managed two Optometric offices. He is also currently serving as a liaison between ODs at 18 different practices in Maryland and Virginia and corporate offices based in Ohio. Dr. Kwan received his BS in accounting from Indiana University and served as a CPA for a large international accounting firm prior to becoming an Optometrist. He is also fluent in Spanish. When not at work, Dr. Kwan enjoys spending time with his wife and three children.



Farewell

Dr. Jeanne Murphy-Moore, O.D.

The Board bid farewell to Dr. Jeanne Murphy-Moore, O.D. at a luncheon in her honor in September to recognize her dedication and contribution to the vision health of the citizens of

Maryland. Dr. Thomas Azman, O.D., is pictured presenting her with the "Board Plaque", a specially designed plaque presented to outgoing Board members and Board Administrators since 2000. In addition, she received certificates from the Secretary of the Department of Health and Mental Hygiene and the Governor. Jeanne completed 2 full terms on the Board which expired on 5/31/09. She served as Board secretary for seven years and ARBO liaison, where she represented the Board at the annual business meeting of the association. Dr. Murphy-Moore was an active and engaged participant with ARBO and was appointed to the Contemporary Issues and International Affairs committees.

BOARD ELECTS NEW OFFICERS

PAGE 3

At its meeting on November 18, 2009, the Board of Examiners in Optometry elected officers to serve for the next two years. The results of the election were as follows:

President— Thomas Azman, O.D.
Treasurer— Phyllis Strickland, O.D.
Secretary— Kisha Fields Matthews

Board members and staff congratulate these new officers and look

Current Disciplinary Actions

Martin Tomko, O.D. – License was reinstated by Consent Order dated January 14, 2009. Dr. Tomko's license is on probation for 3 years subject to terms and conditions.

Online Renewal 2009

The Board successfully completed its first online license renewal process in June 2009. Some interesting statistics indicate that 86% of all active licensees renewed online. Of that number, 86% renewed using a credit and the remaining 14% submitted checks. Although, all licensees were required to post their continuing education activities online, there were 141 licensees selected to submit documentation for the audit. There was a 96% compliance rate and the 4% who were non-compliant have failed to submit verification of current CPR certification to date. Thirty-three percent (33%) of licensees completed the evaluation, which showed that the instructions for completing the renewal application were clear; the online renewal website was easy to use; the timeliness and efficiency of the process was good; and there were very few who experienced technical difficulties. The evaluation comments, however, demonstrated overwhelmingly that the posting of the continuing education activities was tiresome, labor intensive, cumbersome, and tedious. The Board has taken these concerns under advisement and plans to work collaboratively with ARBO to ensure that Maryland Board approved programs that you take are uploaded into the OE Tracker system. Consequently, licensees will not be required to post CEs online during the renewal process.

OE Tracker and Online Renewal 2011



Effective July 1, 2009, continuing education sponsors approved by the Board are required to submit their attendance rosters electronically to the Board for submission to ARBO so that licensee data can be entered into the OE Tracker system. OE Tracker, as you are aware, is the service of ARBO that allows licensed optometrists to have their continuing education maintained in one central location. Generally optometrists use their OE Tracker cards at COPE approved continuing education offerings. As the Board prepares for the 2011 online renewal process, licensees are required to record their OE Tracker numbers at all continuing education offerings whether COPE or Maryland Board approved. The Board's plan is to download the CE data from OE Tracker for all Maryland licensed optometrists into the online renewal system. Therefore, the Board strongly recommends that all licensees contact ARBO directly at (704) 970-2710 or visit them on the web at www.arbo.org to get information about getting and using the card. In addition, please know that the Maryland Board does not require that licensees pay the \$20 fee assessed by ARBO to access their complete continuing education data file in OE Tracker.

Due to extenuating circumstances, the Board is allowing licensees to apply any continuing education hours taken between June 21, 2009 and June 30, 2009 toward meeting their CE requirement for license renewal in June 2011.

General Continuing Education Requirements

Licenses for Maryland optometrists will expire on June 30, 2011. The following information summarizes Maryland's continuing education requirements for optometrists to renew their licenses. According to COMAR 10.28.02.06 (A), each optometrist is responsible for obtaining proof of hour credits and maintaining this documentation for inspection by the Board for 4 years after the date of renewal. Maryland requires up to 50 hours every two years. Hours taken must be within the time period July 1, 2009 and June 30, 2011.

TPA Certified optometrists are required to complete 50 hours and 30 of those hours must be in the use and management of therapeutic pharmaceutical agents.

DPA Certified optometrists are required to complete 36 hours and 6 of those hours must be in the use of diagnostic pharmaceutical agents.

Non Certified optometrists are required to complete 36 hours.

The Board approves continuing education programs and accepts all COPE approved programs. Programs are categorized as either general or therapeutic. The following COPE codes are accepted as therapeutic: GL, PO, RS, AS, PS, NO, PH, PD, SD

Welcome to New Committee Member, Dr. Jo Anne Brilliant, O.D. - The Board wishes to welcome its newest QEI Committee member, Board Member, Jo Anne Brilliant, O.D. Dr. Brilliant currently serves on the Board's Continuing Education Committee and will chair the QEI Committee upon the expiration of Dr. David Reed's term on the Board in May 2010.

Committee Members Needed—The QEI Committee is continuing the development of a pool of TPA certified optometrists who are interested in serving as members. The expectations of committee members are as follows: ability to attend scheduled evening meetings; complete peer record reviews; draft educational topics and other related tasks. As a committee of the Board, QEI members receive a stipend for attending meetings. Please submit your letters of interest and CVs to the Board office.

Record Review Program- As you are aware, on a yearly basis, the Board selects a percentage of the therapeutically certified optometrists at random to send copies of TPA patient records for review by its quality assurance committee. The QEI Committee has completed its annual record review for the period January 1, 2008—December 31, 2008, which included the review of 550 patient records furnished by 55 TPA certified optometrists. The committee conducts a TPA record review of each therapeutically certified optometrist not more than once every 4 years unless the committee determines that a TPA certified optometrist is in need of additional review.

Educational Topics and Exam— There will be two topics, "AMD" and "Contact Lens Complication & Management" to be disseminated beginning of 2010 along with an exam. The Board will grant 2 therapeutic hours of continuing education for the 2011 renewal in addition to the 20 hours now allowed for Correspondence/ Internet category.

2010 Continuing Education Project -The QEI Committee is developing an optional continuing education project with an exam similar to the project in 2002. The project will include multiple choice questions, patient record reviews and adverse event cases. The Board will allow up to 6 therapeutic hours for completion of this project that can be credited toward the 2011 renewal cycle. The projected date for this project is the fall of 2010. More information will be disseminated at that time.

Record Review –A Learning Experience

By: Jo Anne Brilliant, O.D.

OK, I know what you are thinking. Out TPA law was passed in 1995, so why 14 years later are we still having to send in our patients records for review? Haven't we proved that optometrists in Maryland are capable of treating patients without incident? That is what I thought. But having the privilege and the pleasure to serve on the Board of Examiners and now the QEI Committee. I see things in a totally different light.

Yes, because our profession is a legislated one, it is necessary to comply with our regulations 100%. It was actually quite ingenious for the developers of the QEI Committee to recognize the need for a systematic way of monitoring TPA licensed optometrists, to ensure our privileges were not being abused and our standards were being upheld. My hat goes off to Dr. David Reed and the entire committee for developing a concept that not only monitored the therapeutic patients we had already treated, but had the resourcefulness to make this an opportunity to educate us and promote our standard of care. The QEI Committee provides us with very valuable information. We are given educational topics which are timely and informative (which CE credit can be obtained for). The dreaded letters we get from the Board are in no way to reprimand us, but to give us guidelines for being better optometrists. We should be grateful that we have colleagues that take the initiative to steer us in the right direction.

Therefore, when you get the letter that it is your time to be audited, think of it as an opportunity to upgrade your practice policies and skill level. Communicate with the QEI Committee if you have questions or unresolved issues. We are here to help!



The Board proposed several regulatory changes in 2008 that became effective October 19, 2009. A few of the changes were minor, but the most noteworthy changes include provisions to allow pro bono work as valid continuing education up to 6 credit hours; increasing the number of acceptable hours for professional journals with a

post test or Internet courses with post test to 20 hours per renewal cycle; increasing the number of acceptable hours for published papers to 12 hours per renewal cycle; conducting the continuing education audit at the time of renewal and not after renewal; and requiring the TPA Self-Assessment at the time of license renewal instead of on a yearly basis. The full text of the revised regulations has not been printed as of this date in COMAR (Code of Maryland Regulations). However, the Board has posted the changes on its website. You can go to www.mdoptometryboard.org to view the changes.

Greetings!!!

This past spring, I had the opportunity to attend the Health-Care Disparities Forum held at Morgan State University. As one of the Consumer members of the Board of Optometry, I felt it was my obligation to learn about some of the challenges that our state is facing concerning healthcare information and the overall administration of provider services. Healthcare disparity is rising at an alarming rate statewide. As our communities grow more diverse in population, it has become challenging to administer appropriate healthcare due to certain factors including language barriers as well as socio-economic differences.

One of the key components to closing this healthcare gap is to embrace the concept of Cultural Competence. We must learn to acknowledge and respect the differences that exist in our communities and then begin to help disseminate proper information in order to ensure that every consumer is receiving adequate care. It is our role to become advocates of our communities and make certain that we keep watch – with our CONSUMERS EYE.

Kisha Fields Matthews



Medical Records: Retention, Storage, and Disposal

The Maryland Department of Health and Mental Hygiene's regulation, COMAR 10.01.16 - Retention and Disposal of Medical Records and Protected Health Information is effective and applicable to all health care practitioners. Each health occupation licensing Board is responsible for handling any complaints and enforcing this regulation.

- 1. Medical Records Ownership.** Medical records are the personal property of the entity providing the health care. Periodically, patients argue that they own their medical record, and demand their original files. This is incorrect. Patients can demand, and should receive, only copies of their medical record.
- 2. Retention Schedule.** Every health care entity must have a medical record retention schedule that includes a list and description of the medical records, the retention period for each medical record, and destruction instructions. The schedule, as a matter of good housekeeping, should include storage and maintenance procedures and disposal methods.
- 3. Storage.** Medical records must be stored in an office that has access restricted to authorized staff. Electronic medical records must be stored on an electronic medium with passwords or data encryption. Health care entities must keep current back-up copies of those electronic medical records. If medical records are stored at a commercial records storage site, that site must have environmental and security access controls.
- 4. Paper Record Destruction.** Medical records kept on paper must be destroyed by shredding, incineration, or pulping or any other process that makes the record permanently unreadable.
- 5. Electronic or Other Media Destruction.** Medical records stored in electronic media, such as computer hard drives, must be destroyed by completely sanitizing the media with no possibility of recovery. For example, mere deletion of a file is not enough. Medical records on other media, such as film or photos, must be destroyed without the possibility of recovery.
- 6. Other Laws.** Medical records in Maryland cannot be destroyed until after five (5) years or, for a minor patient, the longer of three (3) years after the minor turns 18 or five (5) years after the medical record was made. HIPPA regulations require that patient documents must be kept a minimum of six (6) years.
- 7. Early Destruction.** Before a health care entity can destroy a medical record prematurely, written notice must be sent to the patient (or the patient's guardian in some cases) at least thirty (30) days before the destruction date.
- 8. Violations.** Health care entities that violate the Medical Records Destruction law are subject to fines of up to \$10,000 per day. Individual health care providers or administrators may be fined up to \$5,000 per day.

**Maryland Board of
Examiners in Optometry**

4201 Patterson Avenue
Room 307
Baltimore, Maryland 21215-2299

Phone: 410-764-4710
Fax: 410-358-2906
optometry@dhmh.state.md.us
www.mdoptometryboard.org

Patricia G. Bennett, MSW, Administrator

Kecia Dunham, Licensing Coordinator

Delia Turano Schadt, AAG, Board Counsel

Dale Cranford, Board Investigator

Larry Schuyler, Board Investigator

Board Regulation, COMAR 10.28.03.08, requires that an optometrist report a change of address within 30 days of beginning a practice in a new location. Please complete and mail or fax the following as required:

CHANGE OF ADDRESS NOTIFICATION

Name: _____ **License #** _____

Old Address: _____

City **State** **Zip Code**

Current Telephone Number: _____

New Address: _____

City **State** **Zip Code**

Effective date of change: _____

Optometrist Signature: _____ **Date** _____

Mail to: Maryland Board of Examiners in Optometry
4201 Patterson Avenue, Room 307
Baltimore, MD 21215-2299
Fax to: (410) 358-2906